(DISTRICT) (COUNTY) COURT, EL PASO COUNTY COLORADO Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903	
The People of the State of Colorado, Plaintiff V. **BRUGGER SCOTT, OMYRIA, DOB: 10/29/2005, SSN:** , Defendant	▲ COURT USE ONLY▲ Case/File Number: 2024CR1305
Agency: Colorado Springs Police Department Agency Number: 2024-01011322	Division: Criminal Ctrm:

AFFIDAVIT OF PROBABLE CAUSE

The following affidavit is submitted to the Court to document the probable cause in support of the arrest of **BRUGGER SCOTT, OMYRIA, DOB: 10/29/2005, SSN: ; BLACK FEMALE, 5'04", 128 POUNDS, BROWN HAIR, BROWN EYES.**

This offense is fully documented in Colorado Springs Police Department report 2024-01011322 detailing the offense(s) of:

§18-3-203(1)(B), ASSAULT IN THE SECOND DEGREE - ATTEMPTED, CLASS FIVE FELONY (F5)

§18-9-111(1)(A), HARASSMENT, CLASS ONE MISDEMEANOR (M1)

With the victim(s) identified as:

GREEN, JAVON, DOB: 10/24/2004, AGE: 19, GENDER: MALE RACE: BLACK

On March 30, 2024, at approximately 1136 hours, Officer M. Marquez/7612, Officer A. Crotser/6587, and I, Your Affiant, Police Officer M. Garcia, 3257, herein after referred to as I, were dispatched to a domestic violence call for service, located at 1408 Sandalwood Drive #C, located in the City of Colorado Springs, County of El Paso, State of Colorado. The call screen stated a couple was fighting and a female was using rocks.

Officer Marquez located the suspect, Omyria Brugger Scott (DOB: 10/29/2005), in the area and spoke with her. Ms. Brugger Scott told Officer Marquez that the argument began today because her vehicle was towed last night from the apartment complex. Ms. Brugger Scott said the argument then escalated when Mr. Green insulted her dead father, so Ms. Brugger Scott went outside of their apartment and continued the argument. Ms. Brugger Scott said she got very mad at Mr. Green and threw some rocks. Officer Marquez asked Ms. Brugger Scott if she threw the rocks at him and she would not clearly specify at first.

Officer Crotser then informed Officer Marquez that video footage existed that showed Ms. Brugger Scott throwing rocks directly at Mr. Green. Officer Marquez asked Ms. Brugger Scott again if she had thrown the rocks at Mr. Green. Ms. Brugger Scott said, "Yes, I was throwing rocks at him, I already said that."

Shortly after arriving on scene, Officer Crotser and I saw a black male walking in the area who matched the description of one of the involved parties. The male party stated he was involved and verbally identified himself as **Javon Green (DOB: 10/24/2004)**. Mr. Green stated he and Ms. Brugger Scott are boyfriend and girlfriend and have been in a relationship for about two years. Mr. Green stated he and Ms. Brugger Scott were arguing today because Ms. Brugger Scott's vehicle was towed from where he lives because they forgot to place a visitor pass on the vehicle.

Mr. Green stated that while walking in the area of 1408 Sandalwood Drive, Ms. Brugger Scott was angry and he attempted to calm down her down. Mr. Green stated while she was mad, she threw rocks. Mr. Green denied Ms. Brugger Scott threw rocks at him in an attempt to hurt him. Mr. Green stated it is common for Ms. Brugger Scott to throw stuff when she's upset.

Supervisor Initials / IBM: 1866

While I was speaking with Mr. Green, Officer Crotser interviewed the witnesses. One of the witnesses, Donald Sanchez (DOB: 04/05/1997), stated he was having breakfast inside his apartment (1408 Sandalwood Dr. #C) with other individuals when they all heard a yelling from outside. They looked out their back window into the courtyard area where they observed a female, identified as Ms. Brugger Scott, yelling at Mr. Green. Mr. Sanchez stated when he first saw the two of them, they were near the buildings at the northwest corner of the courtyard (identified with maps as buildings 1240 Sandalwood Dr. and 1462 Sandalwood Dr.). Mr. Sanchez then witnessed Ms. Brugger Scott pick up large rocks from the landscaping and she threw them at Mr. Green. It was stated Ms. Brugger Scott threw seven to nine rocks at Mr. Green with approximately three to four of them actually hitting him. Mr. Sanchez described he saw Mr. Green block one rock with his hand when Ms. Brugger Scott threw it at him. Mr. Sanchez also described Mr. Green turned away from Ms. Brugger Scott when she threw a rock at him, which struck Mr. Green in the back of his right shoulder as he turned away from her.

Mr. Sanchez stated Ms. Brugger Scott and Mr. Green walked around the building across from them (1462 Sandalwood Dr.) and when they returned to the courtyard, Ms. Brugger Scott continued yelling and throwing rocks at Mr. Green. Mr. Sanchez went outside onto his patio to record the incident on his phone because he feared Mr. Green was going to get seriously hurt.

Officer Crotser informed me one of the witnesses recorded some of the altercation between Mr. Green and Ms. Brugger Scott, which showed her throwing a rock at Mr. Green.

I walked over to where the witnesses were and watched the video one of the witnesses recorded of the altercation. The video showed Ms. Ms. Brugger Scott throw a rock at Mr. Green. It was unclear of the rock hit Mr. Green or if it hit the nearby table. It should be noted, the rocks in the area were all softball size or larger.

I informed Mr. Green there was video of the incident, and he stated he did not recall being hit by the rocks.

Mr. Green was asked to remove a black vest so we could see his shirt. When Mr. Green removed the black vest, I saw dirt on the back of his shirt and on his shoulder area. One of the witnesses stated one of the rocks that were thrown hit him in the shoulder.

The defendant's conduct was an act or threatened act of violence against an intimate partner and constitutes **Domestic Violence as defined in C.R.S. 18-6-800.3.** Each foregoing offense was committed in, and is triable in El Paso County, Colorado.

Your Affiant would respectfully request that probable cause be found that **BRUGGER SCOTT, OMYRIA, DOB: 10/29/2005, SSN: ; BLACK FEMALE, 5'04", 128 POUNDS, BROWN HAIR, BROWN EYES**, did, within the City of Colorado Springs, County of El Paso, State of Colorado, commit in violation of the Colorado Revised Statutes 1973 as amended, the offense(s) of **§18-3-203(1)(B), ASSAULT IN THE SECOND DEGREE - ATTEMPTED, CLASS FIVE FELONY (F5); §18-9-111(1)(A), HARASSMENT, CLASS ONE MISDEMEANOR (M1)**.

The foregoing instrument was acknowledged before me

Notary Signature: Stephanie Marone
Stephanie Marone

Commission Expires: 12/13/2027

Address: Sand Creek Division
950 Academy Park Loop
Colorado Springs, CO 80910

STEPHANIE MARONE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194046274
MY COMMISSION EXPIRES DEC. 13, 2027

Affiant:
M. Garcia 3257

Employed By: Colorado Springs Police Department

Position: Police Officer

Date: Saturday, March 30, 2024